

Attorney Docket No.: 6443.500-US  
Hansen et al.  
Application No.: 10/699,338 Filed: October 31, 2003  
Via Facsimile No.: 571-273-8300

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PATENT

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of: Hansen et al. Confirmation No.: 2536  
Application No.: 10/699,338 Group Art Unit: 1614  
Filed: October 31, 2003 Examiner: Zhang, Nancy L.  
For: Chemical Uncouplers for the Treatment of Obesity

**RESPONSE TO RESTRICTION REQUIREMENT**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

This paper is filed in response to the Office Action mailed September 11, 2006, having a shortened statutory period for reply set to expire October 11, 2006, subject to extensions of time under 37 C.F.R. §1.136(a). A petition for a one (1) month extension of time to increase the period for reply from October 11, 2006, to November 11, 2006, is enclosed herewith to permit timely filing of this response.

The Examiner states that claims numbered 1-43 are pending in the application and claims 1-43 are subject to a restriction and/or election requirement.

The Examiner has required a restriction in this application for examination purposes to one of the following inventions:

In response to the restriction requirement, Applicant hereby elects, for examination purposes, the invention of:

Group I. Claims 3 and 12, drawn to a pharmaceutical composition comprising a compound defined by the equation:  $X^n = (Y_2 - Y_1) / (Y_1 - Y_0)$ ; and

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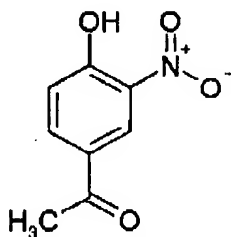
Group II. Claims 1-2, 4-11 and 13-43, drawn to a method of treating a condition by administering a compound defined by the equation:  $X^n = (Y_2 - Y_1) / (Y_1 - Y_0)$ .

If Group II. is selected, a single disclosed species from one of formulas (I)-(VII), or one defined by the equation  $X^n = (Y_2 - Y_1) / (Y_1 - Y_0)$ , must be chosen, as well as a condition from the following:

- (a) Obesity where the patient does not have type II diabetes,
- (b) Type II diabetes where the patient is not obese,
- (c) Type II diabetes where the patient is obese,
- (d) Dyslipidemia where the patient is not obese,
- (e) Dyslipidemia where the patient is obese,
- (f) A condition listed in claim 4 that is not (a)-(e); identifying the specific condition, and
- (g) Any condition that is not (a)-(f), specify one specific disease.

In response to the restriction requirement, Applicant hereby elects, for examination purposes, the invention of: Group II.

Applicant additionally elects a single species of Formula (III), for examination purposes only, disclosed in Example 3, found on page 60, lines 1 through 3, of the specification as originally filed:



4-Hydroxy-3-nitroacetophenone

Applicant additionally elects for examination purposes only, condition (c): Type II diabetes where the patient is obese.

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Applicant hereby reserves the right to file continuing or divisional applications directed to the nonelected and/or cancelled subject matter.

The Examiner is hereby invited to contact the undersigned by telephone if there are any questions concerning this response or application.

Respectfully submitted,

Date: November 10, 2006



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